STRAFFI & STRAFFI, LLC

670 Commons Way Toms River, NJ 08755 (732) 341-3800 Attorney for Plaintiff

In re:) UNITED STATES BANKRUPTCY COUR				
) FOR THE DISTRICT OF NEW JERSEY				
Eagle Roadways, Inc.)				
Debtor(s).) Case No. 21-10174				
and a proper man) Chapter 7 Proceeding				
Daniel E. Straffi, Trustee) Adv. Pro.				
Plaintiff,)				
) COMPLAINT TO DETERMINE THE				
v.) EXTENT, VALIDITY AND PRIORITY				
) OF LIENS, TO AVOID LIENS NOT				
Global Merchant Cash, Inc., SevenOaks) PROVEN AND FOR SURCHARGE				
Capital Associates, LLC, United States) UNDER §506 OF THE CODE.				
of America, U.S. Small Business)				
Administration, LG Funding, LLC,)				
Complete Business Solutions Group Inc.,)				
and Advance Merchant Services, LLC)				
)				
D 0 1 1 1 1)				
Defendant(s).					
)				

Plaintiff, Daniel E. Straffi, Trustee for Debtor, Eagle Roadways, Inc., having offices located at 670 Commons Way, Building I, Toms River, New Jersey, by way of Complaint against Defendants, Global Merchant Cash, Inc., SevenOaks Capital Associates, LLC, United States of America, U.S. Small Business Administration, LG Funding, LLC, Complete Business Solutions Group Inc., and Advance Merchant Services, LLC says:

FIRST COUNT

- 1. This Chapter 7 proceeding is brought pursuant to Bankruptcy Rule 7001. Venue is proper in this Court pursuant to 28 11 U.S.C. §1409(a). This Court has jurisdiction in this proceeding pursuant to 28 U.S.C. §157 and §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(K),
- 2. The Debtor filed a voluntary petition under Chapter 11 of the United States Bankruptcy Code on January 11, 2021. The case was converted to Chapter 7 on March 18, 2021. The plaintiff, Daniel E. Straffi was appointed Chapter 7 Trustee on March 18, 2021.
- 3. At the time of filing the petition the debtor had an interest in bank accounts at Wells Fargo and JPMorgan Chase Bank, N.A., and motor vehicles hereinafter referred to as "property of the estate".
- 4. The following Defendant(s) are made parties because each may have a lien on property of the estate the extent, validity and priority of which are unknown to the Trustee:
- (a) Defendant, LG Funding, LLC filed a UCC Financing Statement of December 31, 2019;
- (b) Defendant, Advance Merchant Services, LLC by its agent, Corporate Services Company filed a UCC Financing Statement on January 9, 2020;
- (c) Defendant, SevenOaks Capital Associates, LLC filed a UCC Financing Statement on March 26, 2020;
- (d) Defendant, United States of America, U.S. Small Business Administration filed a UCC Financing Statement on May 25, 2020;
- (e) Defendant, Global Merchant Cash, Inc. filed a UCC Financing Statement on January 12, 2021; and

(f) Defendant, Complete Business Solutions Group, Inc. filed a UCC Financing Statement on January 25, 2021.

Copies of the aforesaid Financing Statements are annexed as Exhibit "A".

- 5. The liens described above may be invalid or subordinate as to the Trustee under applicable provisions of the United States Bankruptcy Code inasmuch as <u>inter alia</u> said liens, upon information and belief, may have not been perfected before the filing of the bankruptcy petition or have been paid but not satisfied of record or may be post petition transfers.
- 6. It is in the best interest of the estate that the Court may determine the extent, validity and priority of liens on the property of the estate.

WHEREFORE, Plaintiff demands judgment as follows:

- (a) that this Court may determine the extent, validity and priority of liens of each of the Defendant(s). That upon failure of defendant(s) to answer the Complaint and prove it here, that a judgment be entered that Defendant(s) has no lien on the property of the estate or the proceeds thereof; and
 - (b) for such other relief as is just and proper.

SECOND COUNT

- 7. The Plaintiff repeats the obligations of the preceding paragraphs as if set forth herein verbatim.
- 8. If the Court determines that a Defendant has a valid priority lien on the property of the estate, then the Plaintiff is entitled to recover from the property of the estate the reasonable, necessary costs and expenses of preserving or disposing of such property as provided under §506 of the United States Bankruptcy Code.

WHEREFORE, Plaintiff demands judgment in an amount to be determined by the Court for the reasonable necessary costs and expenses of preserving or disposing of the property against Defendant(s) with interest and costs of suit.

Dated: 10/12/22

DAMELE. STRAFFI

Attorney for Plaintiff

CLLOWINSTRUCTIONS A. NAME & PHONE OF CONTACT AT FILER (optional) Lien Solutions B. E-MAIL CONTACT AT FILER (optional) uccfilingreturn@wolterskluwe	8003313282	Depar	Revenue UCC S	New Jersey f the Treasury & Enterprise Se Section	rvices
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Case 21-10174-MEH Doc 141 Filed 10/12/22 Entered 10/12/22 12:09:26 Desc Main Document Page 6 of 10

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Case 21-10174-MEH Doc 141 Filed 10/12/22 Entered 10/12/22 12:09:26 Desc Main Document Page 7 of 10

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OLLOW INSTRUCTIONS					
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B. E-MAIL CONTACT AT FILER (optional)			venue &	the Treasury Enterprise Se	rvices
terri@sevenoakscapital.com			UCC Se		
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Eagle Roadways Inc					
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370 New Brunswick	Ford		NJ	08863	US
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Case 21-10174-MEH Doc 141 Filed 10/12/22 Entered 10/12/22 12:09:26 Desc Main Document Page 8 of 10

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filingdept@cscinfo.com C. SEND ACKNOWLEDGMENT TO: (Name and Address)	1 - 1			Section iled	
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Case 21-10174-MEH Doc 141 Filed 10/12/22 Entered 10/12/22 12:09:26 Desc Main Document Page 9 of 10

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SINGH MAILING ADDRESS	BHUPIND	EK	STATE	POSTAL CODE	COUNTRY
9 Wilk Road	Edison		NJ	08837	US
2a. ORGANIZATION'S NAME EAGLE ROADWAYS INC			14		
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5. Check only if applicable and check only one box: Collateral is held in	a Trust (see UCC1Ad, item 17 and Instructions)	being administered by a Dec	cedent's Personal Representative
6a. Check only if applicable and check only one box:		6b. Check only if applicable	and check only one box:
Public-Finance Transaction Manufactured-Home Transaction	A Debtor is a Transmitting Utility	Agricultural Lien	Non-UCC Filing
7. ALTERNATIVE DESIGNATION (if applicable): Lessee/Lessor	Consignee/Consignor Seller/	Buyer Bailee/Bailor	Licensee/Licensor
8. OPTIONAL FILER REFERENCE DATA: 78497678			

Case 21-10174-MEH Doc 141 Filed 10/12/22 Entered 10/12/22 12:09:26 Desc Main Document Page 10 of 10

NAME & PHONE OF CONTACT AT FILER (optional) OMPLETE BUSINESS SOLUTIONS GROUP, INC. E-MAIL CONTACT AT FILER (optional) JEGAL @PARFUNDING. COM SEND ACKNOWLEDGMENT TO: (Name and Address)	2156003880	Departi	nent o venue UCC S	New Jersey f the Treasury & Enterprise Ser ection led	rvices
COMPLETE BUSINESS SOLUTIONS GR 22 N. 3RD STREET PHILADELPHIA, PA 19106 US	OUP, INC.			per:55015981	
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